

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF DELAWARE

DAVID McKINNEY, individually,  
ANITA McKINNEY, individually, h/w,

Plaintiffs,

v.

PAUL J. MELINARI, individually, and  
FINANCIAL SERVICE VEHICLE TRUST,  
a foreign corporation,

Defendants.

C.A. NO. 06C-208-SLR

**AFFIDAVIT**

STATE OF

:  
SS:

COUNTY OF:

:

BE IT REMEMBERED, that on this 16<sup>th</sup> day of MAY, A.D., 2006,

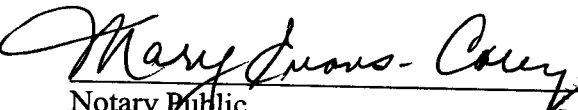
personally appeared before me, the Subscriber, a Notary Public for the State and County  
aforesaid, PAUL J. MOLINARI, who, being duly sworn according to law, did depose and say  
that:

1. I am the defendant in the above matter and my last name is misspelled in the  
Complaint.
2. On the date of this accident, I was not an employee of Financial Service Vehicle Trust.
3. Financial Service Vehicle Trust is the entity from which the vehicle that I was driving  
was leased.
4. At the time of this accident, I was not acting as agent, servant or employee for  
Financial Service Vehicle Trust or any other entity or person. At the time of this accident, I was  
returning to my residence after golfing.

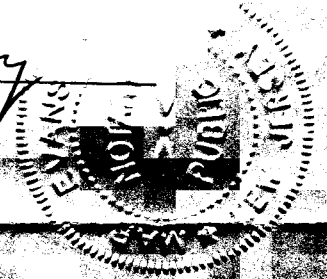
5. I swear that all the statements made in this Affidavit are true and correct.

  
\_\_\_\_\_  
PAUL J. MOLINARI

SWORN TO AND SUBSCRIBED before me the day and year first above written.

  
\_\_\_\_\_  
Notary Public

MARY EVANS-CAREY  
NOTARY PUBLIC OF NEW JERSEY  
Commission Expires 7/10/2010



IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF DELAWARE

|                                     |   |                      |
|-------------------------------------|---|----------------------|
| DAVID McKINNEY, individually,       | ) |                      |
| ANITA McKINNEY, individually, h/w,  | ) |                      |
|                                     | ) |                      |
| Plaintiffs,                         | ) | C.A. NO. 06C-208-SLR |
|                                     | ) |                      |
| v.                                  | ) |                      |
|                                     | ) |                      |
| PAUL J. MELINARI, individually, and | ) |                      |
| FINANCIAL SERVICE VEHICLE TRUST,    | ) |                      |
| a foreign corporation,              | ) |                      |
|                                     | ) |                      |
| Defendants.                         | ) |                      |

**ANSWER TO COMPLAINT ON BEHALF OF BOTH DEFENDANTS**

1. No response required. To the extent a response is required, defendants admit diversity but deny the amount in controversy.
2. No response required.
3. No response required.
4. Admitted upon information and belief.
5. Admitted upon information and belief.
6. Admitted.
7. Admitted except that defendant's last name is Molinari not Melinari.

**COUNT I**

8. Denied.
9. Denied.

**COUNT II**

10. Admitted.
11. Admitted except that defendant's last name is Molinari, not Melinari.

12. Denied.

WHEREFORE, defendants demand judgment in their favor plus costs.

**COUNT III**

13. Denied.

14. Denied.

15. Denied.

WHEREFORE, defendants demand judgment in their favor plus costs.

**COUNT IV**

16. Denied.

17. Denied.

18. Denied.

WHEREFORE, defendants demand judgment in their favor plus costs.

**COUNT V**

19. Denied.

20. Denied.

WHEREFORE, defendants demand judgment in their favor plus costs.

MICHAEL A. PEDICONE, P.A.

By: /s/ Michael A. Pedicone  
Michael A. Pedicone, Esquire (No. 2424)  
109 W. 7<sup>th</sup> Street  
P.O. Box 1395  
Wilmington, DE 19899  
(302) 652-7850  
Attorney for Defendants

Dated: May 19, 2006

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF DELAWARE

|                                     |   |                      |
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| DAVID McKINNEY, individually,       | ) |                      |
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|                                     | ) |                      |
| Plaintiffs,                         | ) | C.A. NO. 06C-208-SLR |
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| PAUL J. MELINARI, individually, and | ) |                      |
| FINANCIAL SERVICE VEHICLE TRUST,    | ) |                      |
| a foreign corporation,              | ) |                      |
|                                     | ) |                      |
| Defendants.                         | ) |                      |

**CERTIFICATE OF SERVICE**

I hereby certify that on May 5, 2006, I electronically filed an Answer to Complaint on  
Behalf of Both Defendants with the Clerk of the Court using CM/ECF which will send  
notification of such filing(s) to the following:

David P. Cline, Esquire (No 2681)  
1300 N. Market Street  
Suite 700  
Wilmington, DE 19801  
(302) 529-7848  
Attorney for Plaintiffs

MICHAEL A. PEDICONE, P.A.

By: /s/ Michael A. Pedicone  
Michael A. Pedicone, Esquire (No 2424)  
109 W. 7<sup>th</sup> Street  
P.O. Box 1395  
Wilmington, DE 19899  
(302) 652-7850  
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Dated: May 19, 2006